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**MEMO ENDORSED**

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November 6, 2007

Via Facsimile (212) 805-7949

Honorable P. Kevin Castel  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Electric Visual Evolution, LLC v. Electric Eel, Inc.  
07 Civ. 9321 (PKC)

*Application granted.  
SO ORDERED  
[Signature]  
USDT  
11-7-07*

Dear Judge Castel:

We are attorneys for Defendant Electric Eel, Inc. and are submitting this request for an extension to November 16, 2007 of the date to answer or otherwise move with respect to the complaint. *OK*

There is ambiguity regarding the current deadline for the Answer because the parties are not in agreement as to whether the initial service was complete. Nonetheless, Defendant has now acknowledged receipt of the summons and complaint and James M. Gibson, Esq., the attorney for Plaintiff, has consented to the requested extension. This is the first request for an extension of this date. This extension will not affect the date of the pretrial conference, the filing of a proposed pretrial order, the date for the parties to meet and confer pursuant to Federal Rule 26, or any other aspect of the current schedule.

Respectfully submitted,

*[Signature]*  
Stephen J. Quigley

SJQ:bar

cc: James M. Gibson, Esq. (counsel for Plaintiff) (via facsimile)

David J. Lorenz, Esq. (counsel for Plaintiff) (via facsimile)

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